

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

MR. ROOTER CORPORATION, a Texas corporation,)	3:07-cv-00156-LRH-RAM
)	
Plaintiff,)	<u>ORDER</u>
)	
vs.)	
)	
MR. PLUMBER, ROOTER AND PLUMBING SERVICES, LLC., a Nevada corporation; RONALD E. FORSYTHE, individually and d/b/a "MR. PLUMBER"; and RICKY L. POTTER, individually and d/b/a "MR. PLUMBER,")	
)	
Defendants.)	

Before the court is Plaintiff's Emergency Ex Parte Motion for a Hearing Regarding Defendants' Non-Compliance with Permanent Injunction (#41). Also before the court is Plaintiff's Amended Certificate of Service for Plaintiff's Emergency Ex Parte Motion for a Hearing Regarding Defendants' Non-Compliance with Permanent Injunction (#43) confirming that Defendants were personally served with plaintiff's motion on February 12, 2008. No opposition has been filed or presented by Defendants.

Good cause appearing, Plaintiff's motion is granted and a hearing is hereby ordered. At such hearing, Defendants shall show cause why they should not be held in civil contempt for failure to comply with the Order of Final Judgment and Permanent Injunction of August 22, 2007 (#29), entered against them in this action and, additionally, for their failure to comply with the terms of the court's Order of January 3, 2008 (#38).

1 Defendants are advised that should they be adjudged to be in civil contempt, that the
2 court may impose contempt sanctions, which may include immediate imprisonment of
3 Defendants ROBERT E. FORSYTHE and RICKY L. POTTER as well as fine.

4 Defendants are further advised that should they be found in civil contempt and should
5 sanctions of immediate imprisonment of Defendants ROBERT E. FORSYTHE and RICKY L.
6 POTTER be imposed to coerce their compliance with the nonmonetary portions of the Orders of
7 August 22, 2007, and January 3, 2008, that they may purge their contempt at any time by
8 complying with the injunctive portions of said Orders that do not include payment of monetary
9 amounts.

10 Defendants are further advised that should they be found in civil contempt that the court
11 may award Plaintiff its costs, attorneys fees and other damages, which are suffered because of the
12 Defendants' contemptuous conduct.

13 IT IS FURTHER ORDERED that the United States Marshal's office shall serve a copy of
14 this Order upon the Defendants personally and that Plaintiff shall cooperate fully with the United
15 States Marshal's office in providing all information it may have available to it pertaining to the
16 whereabouts of Defendants ROBERT E. FORSYTHE and RICKY L. POTTER.

17 Defendants are advised that they are entitled to be represented by counsel at the said
18 hearing and to present evidence and testimony. The hearing is hereby scheduled before the court
19 in Courtroom 5 of the Bruce R. Thompson United States Courthouse, 400 South Virginia Street,
20 Reno, Nevada at 9:00 a.m. on the 17th day of March, 2008.

21 IT IS FURTHER ORDERED that if the Defendants ROBERT E. FORSYTHE and
22 RICKY L. POTTER fail to appear for the March 17, 2008, hearing or if they fail to appear and it
23 appears that they have been avoiding service of process by the United States Marshal's office,
24 that warrants will be immediately issued for their arrests.

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1 It is further confirmed that Plaintiff has full rights of execution to satisfy all monetary
2 amounts awarded by the court in this action to date.

3 IT IS SO ORDERED.

4 DATED this 25th day of February, 2008.

A handwritten signature in blue ink, appearing to read "L. Hicks", is written above the printed name of the judge.

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8 LARRY R. HICKS
9 UNITED STATES DISTRICT JUDGE
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